

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FERNANDO CORIA,
Plaintiff,
vs.
M. GARCIA, et al.,
Defendants.

1:20-cv-01652-GSA-PC

ORDER TO EITHER:

(1) **SUBMIT NEW, COMPLETED
APPLICATION TO
PROCEED IN FORMA
PAUPERIS;**

OR

(2) **PAY \$400.00 FILING FEE
IN FULL**

TWENTY-DAY DEADLINE

**ORDER FOR CLERK TO SEND
PLAINTIFF AN APPLICATION TO
PROCEED IN FORMA PAUPERIS**

Fernando Coria (“Plaintiff”) is a state prisoner proceeding *pro se* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on November 20, 2020, together with an application to proceed *in forma pauperis* under 28 U.S.C. § 1915. (ECF Nos. 1, 2.) However, Plaintiff did not complete all parts of the application.

Page one, part 3 of the application asks, “Have you received any money from the following sources over the last twelve months?” (ECF No. 2 at 1 ¶3.) Plaintiff failed to answer whether he had received any money from “(a) business profession or other self-employment, (b) Rent payments, interest or dividends, (c) Pensions, annuities or life insurance payments, (d) Disability or workers compensation payments, or ... (f) Any other sources.” (*Id.*) Plaintiff answered “Yes” as to “(e) Re Gifts or inheritances,” but then failed to answer the follow-up

1 question, "If the answer to any of the above is "yes," describe by that item each source of money,
2 state the amount received, as well as what you expect you will continue to receive." (*Id.*)

3 Without knowing Plaintiff's present financial status, the court cannot grant his application
4 to proceed *in forma pauperis*. Plaintiff shall be granted another opportunity to submit a new,
5 completed application to proceed *in forma pauperis*, providing all of the information requested,
6 or pay the \$400.00 filing fee for this action, within twenty days.¹

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The Clerk shall send Plaintiff an application to proceed *in forma pauperis*;
- 9 2. **Within twenty (20) days** of the date of service of this order, Plaintiff shall either:
 - 10 (a) Submit an application to proceed *in forma pauperis* to the court,
11 completed and signed; or
 - 12 (b) Pay the \$400.00 filing fee for this action;
- 13 3. Plaintiff is not required to submit another certified copy of his prison trust
14 account statement;
- 15 4. No requests for extension of time will be granted without a showing of good
16 cause; and
- 17 5. **Plaintiff's failure to comply with this order will result in a recommendation
18 that this action be dismissed.**

19 IT IS SO ORDERED.

20 Dated: December 1, 2020

21 /s/ Gary S. Austin
22 UNITED STATES MAGISTRATE JUDGE

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28 ¹ Plaintiff is not required to submit another certified copy of his prison trust account statement. The court receive a certified copy on November 30, 2020, ECF No. 6.